Allowance

1.   Claims 1-23, 25, 26 and 47 are cancelled.

2.   Claims 24 and 27-46 are allowed.

Examiner's Amendment

3.   An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

4.   Authorization for this examiner's amendment was given in a telephone interview with James Love (Reg. #58,421) on 29 March 2010.

5.   The application has been amended as follows:

In the Claims: Claim 24 has been amended.

Claim 24 (Currently Amended)

Line 1 "A computer readable tangible storage medium" has been replaced with –**A computer readable tangible non-transitory storage medium**–.

Reasons for Allowance

6.   The following is an examiner's statement of reasons for allowance: Claims 24 and 27-46

are allowable over the prior art of record.

The examiner has found that the prior art of record does not teach, suggest, or render

obvious, *inter alia*, the specific combination of a computer readable tangible non-transitory

storage medium having a computer program stored thereon for managing quality of service,

the program representing middleware and comprising executable instructions that cause a

computer to: configure an application programming interface as a data model describing

quality-of-service adaptation paths as specified by quality-of-service aware mobile

multimedia applications using said application programming interface, wherein the

adaptation paths are modeled as hierarchical finite state machines, each quality-of-service

contract of an adaptation path corresponding to a different state of a hierarchical finite state

machine, said rules for switching between the alternative quality-of-service contracts

corresponding to transitions between the states of a hierarchical finite state machine and each

hierarchical finite state machine comprising: a finite state machine associated with a User

Context, a finite state machine associated with an Application Context nested in said finite

state machine associated with said User Context and a finite state machine associated with a

Session Context nested in a finite state machine associated with said Application Context

(major difference in the claims not found in the prior art) as set forth in the specification and

recited in independent claim 24.

7.   For these reasons, in conjunction with the other limitations of the independent claim, puts

this case in condition for allowance.

8.   Any comments considered necessary by applicant must be submitted no later than the

payment of the issue fee and, to avoid processing delays, should preferably accompany the

issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons

for Allowance OR Examiner's Amendment."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Baturay whose telephone number is (571) 272-3981. The examiner can normally be reached at M-Th 7am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Pwu can be reached on (571) 272-6798. The fax number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alicia Baturay
September 3, 2010

/Benjamin R Bruckart/

Primary Examiner, Art Unit 2446